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STATE OF WISCONSIN
BEFORE THE REAL ESTATE BOARD

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

WILLIAM H. LAUER,	FINAL DECISION AND ORDER
RESPONDENT	LS0001273REB

99 REB 027

The parties to this action for the purposes of Wis. Stats. sec. 227.53 are:

*William H. Lauer
285 Carriage Road
Montello, WI 53949*

*Wisconsin Real Estate Board
P.O. Box 8935
Madison, WI 53708-8935*

*Department of Regulation & Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935*

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. William H. Lauer (D.O.B. 07/19/57) is duly licensed in the state of Wisconsin as a real estate broker (license 90-40742). This license was first granted on April 30, 1987. Respondent's license lapsed 12/31/98 and is subject to reinstatement under Wis. Stats. sec. 440.08(3)(b).

2. Respondent's latest address on file with the Department of Regulation and Licensing is 5033 W. North Avenue, Milwaukee, WI 53208. Respondent's current address is 285 Carriage Road, Montello, WI 53949.

3. During the period 2/15/94 through 8/31/98, and while licensed as a real estate broker, Respondent operated a business known as Milwaukee Property Management Company. Among other things Respondent maintained accounts and collected rents and rental deposits on behalf of property owners. Upon ceasing business in 1998,

Respondent failed to transfer rents and deposits owed to CK in the sum of \$ 2,570 and to JB in the sum of \$ 1,229.

4. Since at least 1997, Respondent has had a chemical dependence which has interfered with his ability to conduct business as a real estate broker. Respondent has participated in treatment for his condition at West Center-Tucson General Hospital in October and November, 1997, and following a relapse, at Marquette Chemical Dependency Service in June, 1999.

5. On December 4, 1998, Respondent was convicted in Milwaukee County Circuit Court case 98CM5131 of a violation of Wis. Stats. sec. 981.41(3G)(c), possession of cocaine.

6. An evaluation of Respondent conducted by the Marquette Chemical Dependency Service on May 17, 1999, resulted in a diagnosis of polysubstance dependence with a recommendation for treatment.

7. Respondent is not currently practicing as a real estate broker, and tenders the voluntary surrender of his license.

CONCLUSIONS OF LAW

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8. The Real Estate Board has jurisdiction to act in this matter pursuant to sec. 452.14 Wis. Stats., and is authorized to approve the attached Stipulation pursuant to sec. 227.44(5) Wis. Stats.

9. By the conduct described above, William H. Lauer is subject to disciplinary action against his license to practice as a real estate broker in the state of Wisconsin, pursuant to Wis. Stats. sec. 452.14(3)(h) and (k), and Wis. Adm. Code se. RL 24.17(1), (3) and (4).

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ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED,

1. The attached Stipulation is accepted.

1. Effective on the date of this Order, the VOLUNTARY SURRENDER by William H. Lauer of his license to practice as a real estate broker in the state of Wisconsin is accepted.

3. In the event that Respondent shall ever re-apply for a license to practice as a real estate broker in the state of Wisconsin, he shall, in addition to all other requirements for licensure, demonstrate to the satisfaction of the Real Estate Board that he does not have a chemical dependence, and that he can safely and reliably engage in real estate practice.

4. This Order shall become effective upon the date of its signing.

WISCONSIN REAL ESTATE BOARD

by:

James Imhoff, Jr.

on behalf of the Board

January 27, 2000

Date